

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

**QPSX DEVELOPMENTS 5 PTY LTD,**

**Plaintiff,**

v.

**JUNIPER NETWORKS, INC., et al.**

**Defendants.**

**Civil Action No. 2:05CV-268  
(TJW)**

**AGREED MOTION TO DISMISS WITH PREJUDICE**

Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure and the terms of a separate agreement, the Plaintiff, QPSX Developments 5 Pty, Ltd. (“QPSX”), and Defendant Nortel Networks, Inc. (“Nortel”) have agreed to settle, adjust and compromise all claims in the above-captioned action. The parties, therefore, move this Court to dismiss the above-entitled cause and all claims by QPSX against Nortel and all claims by Nortel against QPSX made therein with prejudice to the re-filing of same.

The parties further move the Court to order that all costs and expenses relating to this litigation (including attorney and expert fees and expenses) shall be borne solely by the party incurring the same.

A proposed Order accompanies this motion.

AGREED:

/s/ Robert S. Harrell

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**CERTIFICATE OF SERVICE**

The undersigned counsel hereby certifies that this Motion was served April 7, 2008, via the Court's CM/ECF system in accordance with Local Rule CV-5(a)(3).

/s/ Robert S. Harrell  
Robert S. Harrell